

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ZYVIE BIELARUS¹, *et al.*,

Plaintiffs,

v.

BENJAMINE HUFFMAN¹, *et al.*,

Defendants.

Case No. 2:24-cv-01925-MJP

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
[~~PROPOSED~~] ORDER

Noted for Consideration:
January 24, 2025

Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until August 13, 2025. Plaintiffs brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Defendants substitute Acting Secretary of the Department of Homeland Security (“DHS”) Benjamine Huffman for former Secretary Alejandro Mayorkas; and Acting Director of U.S. Citizenship and Immigration Services (“USCIS”) Jennifer Higgins for former Director Ur Jaddou.

1 on January 27, 2025. The parties are currently working towards a resolution to this litigation. For
2 good cause, the parties request that the Court hold the case in abeyance until August 13, 2025.

3 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
4 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
5 control the disposition of the causes on its docket with economy of time and effort for itself, for
6 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
7 P. 1.

8 With additional time, this case may be resolved without the need of further judicial
9 intervention. USCIS has scheduled Plaintiffs’ asylum interview for April 15, 2025. USCIS agrees
10 to diligently work towards completing the adjudication within 120 days of the interview, absent
11 unforeseen or exceptional circumstances that would require additional time for adjudication. If
12 the adjudication is not completed within that time, USCIS will provide a status report to the Court.
13 Plaintiffs will submit all supplemental documents and evidence, if any, to USCIS seven to ten days
14 prior to the interview date. Plaintiffs recognize that failure to submit documents prior to the
15 interview may require the interview(s) to be rescheduled and the adjudication(s) delayed. If
16 needed, Plaintiffs will bring an interpreter to the interview, otherwise the interview will need to be
17 rescheduled and the adjudication delayed. After the interview, USCIS will need time to adjudicate
18 Plaintiffs’ asylum application. Once the application is adjudicated, Plaintiffs will dismiss the case
19 with each party to bear their own litigation costs and attorneys’ fees. Accordingly, the parties
20 request this abeyance to allow USCIS to conduct Plaintiffs’ asylum interview and then process
21 their asylum application.

22 As additional time is necessary for this to occur, the parties request that the Court hold the
23 case in abeyance until August 13, 2025. The parties will submit a joint status report on or before
24 August 13, 2025.

1 DATED this 29th day of January, 2025.

2 Respectfully submitted,

3 TESSA M. GORMAN
United States Attorney

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10 *Attorneys for Defendants*

11 *I certify that this memorandum contains 413*
12 *words, in compliance with the Local Civil Rules.*

[PROPOSED] ORDER

The case is held in abeyance until August 13, 2025. The parties shall submit a joint status report on or before August 13, 2025. It is so **ORDERED**.

DATED this 29th day of January, 2025.



MARSHA J. PECHMAN
United States District Judge